1

File No. AFD. 362 : FeL 70

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department AF **Section** Forest 'A'

Subject :— Forest Deptt - N.K. Dist - Sirsi Tq - release of land w/s Vijaya Automobiles Sirsi.

Earlier References :— AFD 141 FeN 65

Later References :—

28-9-70
10-1-72

(Classification A/B/C)

Notes Pages 15
Correspondence Pages 33
For/Not for Section Note Book
To be destroyed after

A
11/4/04

B.S. Basappa
Under Secretary to Government.

Vasudeva S.R.
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ,
(ಅರಣ್ಯ ವಿಭಾಗ).

Indexed

2

DOCKET SHEET

Department: A&F

File No. AFD 342 FGL 70.

Section Forest 'A'

Volume :

SUBJECT

N. K. Dist - Sirsi Tq - Grant of land to M/s Vijaya Automobiles - Regarding.

Number and date 1	To whom sent 2	Instructions 3
3/10/70	DS	
Secy., A. & F. No. 3372 Date 24/4		
4737 17/6.		
1696		
	21868	
	5/5/71	
Sir		
5/5/71		

[P.T.O.

AFD-342-FGL70.

3

Sl.No.1. letter No.B3/GFL/83/64-65 dated 25.7.70 of the C.C.F. B'ye

Sl.No.2. Reply dated 24.6.70 of m/s The Vijaya Automobiles & Scientific Engineering works. Sirsi

Sl.No.3. letter No. B3/GFL/83/64-65 dated 25.7.70 of the C.C.F. B'ye

Note.1.

(1) Flag 'A'

(i) In G.O. No. AFD-141. FGN65 dated 30.8.67, an extent of 1-20 acres of land out of F.S.No. 97 of Sirsi, was ordered to be released in favour of m/s Vijaya Automobiles and Scientific Engineering works Sirsi, for starting an automobile workshop under the aid of Small Scale Industries. The D.C. N.K. was also requested on 16.3.68 to grant the land to the applicant, on fixing the upset price, without any further delay as instructed by the then Minister for Forests.

(2) Flag 'B'

(ii) The C.C.F. has now requested Govt. to cancel the G.O. granting the land to m/s Vijaya Automobiles as the forest deptt. has intended to construct office buildings in an area of 7-32 acres including this area, in the same S.No.

and has requested to provide him land out of the area of 313 acres ordered for release for town extension in G.O. No. AFD-205-70-1-69 dated 22.5.69. In a G.O. dated 22.5.69, no land was released in S.No. 97 of Chippigiri and the G.O. has also been stayed by the T.D.B. Sitti in W.P. 424/70.

(iii) The total extent available in F.S. Nos. 49 + 97 is 6-12 acres. The C.C.F has proposed to take over 1-20 acres granted to M/s Vijaya Automobiles, so that an area of 7-32 acres could be set apart for construction of office buildings. It is not clear why so much of area is required. Even if it is considered worth, the remaining area of 6-12 acres in one compact block in S.No. 49 + 97 would suffice.

(iv) Apart from this there is an area of 54 acres in F.S. No. 96 + 47 adjacent to this area. The C.C.F has proposed to allot 25 acres out of this area for which we may have no objection. The area is proposed to be granted for construction of staff quarters.

(v) It may not be justifiable to cancel the grant of 1-20 acres made to M/s Vijaya Automobiles at this stage, when there is sufficient area available for construction of office buildings. He may be informed accordingly if ordered.

(vi) A draft letter is put up for approval

6
Flag H.

p 34

p 80

AFD.342.FQL70.

5

para (v) of note 1 is for approval in the circumstances stated in para (iii) of note 1.

Draft letter put up to the C.C.F. is for approval.

DS)

3/10/70.

Note.2

Secy. A&P No. 60 3/10

Consult the D.C. N.K. whether any alternative site, could be given to the Vijayam Automobile Co. as suggested by the CCF. and whether the area already released for being granted to the said Co. could be retained for Sectral use.

2/11/70.

2/11/70

Note.3

Ref. Note.2.

A draft letter to D.C. N.K. is put up for approval

DS) 4/11/70.

Dy. Secy., A&P No. 6803 4/11.

3/11

Issue

4/11/70

4/11/70

A draft D.O. reminder is put up for approval

8/11/70.

8/11

AFD. 342. FCL70.

6

Sl. No. 8. letter No. B3/GFL/1069/70-71 dated 2.11.70 of C.C.F.

Sl. No. 9

Note. 4

(i) The C.F Dharwar has again insisted for cancellation of the grant of land 1.20 acres made to Sri Vijaya Automobiles Sirsi.

(ii) The Minister for forests has minuted on the representation dated 7.9.70 of m/s Vijaya Automobiles as follows:

"CCF to examine why it is held up"

sd/- AH
Dated 16.9.70
on CF)

Note 1 to 4 may ~~Notes~~ kindly be perused. We may await the reply of D.C./N.K. (p.1209)

Re-mind D.C.N.K

~~Re-mind D.C.N.K~~

11/12/70

9/12

The D.C.N.K was reminded through a D.O. only on 8.12.70.

for perusal. ~~Today is 11-12-70~~ ~~He is expected~~

11/12/70

~~DS)~~

11/12/70

11/12/70

Dy. Secy. to A&P
No. 7591
11/12

Sl. No. 10. letter No. LND. 11.7. SR. 2875 dated 22.12.70 of the D.C. N.K.

7 AFD. 342. FA 170.

A draft reminder is put up for approval

25/1
29/1

25/1/71

Sl. No. 12. letter No. LND. II. 7. SR/2875 dated 30.3.71 of the C.C.F. Bhopal. Note 5

(i) Note 1 and 2 may kindly be perused. The D.C. N.K. has now reported that he has consulted the party M/s Vijaya Automobile and the party is not inclined to take any alternative site except 1.20 acres of land granted to him in F.S. No. 97 of Sirsi. It is also stated that the Forest Deptt have already started construction of staff quarters by the side of the this site in the same S.No. The party, it is stated has also encroached the very site.

(ii) Apart from this there is 6.32 acres available in F.S. No. 49 + 97 of Sirsi and 5 acres in F.S. No. 47 of Sirsi, for construction of office building.

(iii) In view of the same the same proforma draft at p. 8 may be issued.

Reg. page 29. (2)

No. 10-6

From the letter of the D.C. Karwar the following important facts have been pointed out:—

12/4
16/4

1) That the party in whose it was proposed to disafforest and grant the land has not actually been put in possession of the land and the process of disafforestation itself has not been completed.

2) The sale of the standing growth and the grant of land under consideration are two separate things, though in the instant case the proposed grantee happens to be the purchaser of the tree growth, which is merely a matter chance and as such will not confer on the purchaser any extra claims

3) That the constructions of the Buildings of forest Department have already started.

Hence it is suggested that the request of the party may be rejected and cancellation order issued setting aside the order of land grant made in favour of the party. A

The D.C. Kanwar has further stated that the party concerned has resorted to unauthorised occupation of the land by encroachment which would be dealt with separately

3372

Secy A & F. Note-7 23/4/71

A- How can this be done?

Pl speak

US (Tech) 24/4

27/4/71

Note 8

Kind reference is invited to the G.O. no. 141 FGN 65 dated 30-8-1967 on P. 37 of the connected file placed below. According to this, ~~letter~~ order ~~has~~ had been passed for the disafforestation and handing over an area of 1.20 acres of land to the R.D. for assignment to the Vijaya automobiles.

Further a modification to this order was issued by G.O. AFD141 FGN 65 D. 30.8.67 modifying the earlier order and ordering the release of the lands in favour of the R.D. for disposal as per the land grant rules.

Since, as reported by the D.C. Kanwar, the prospective land grantee has resorted to encroachments, it is for the R.D. to deal with the matter under the rules in force and he (D.C. Kanwar) has already stated that he is proceeding in the matter for the eviction of the encroacher. (P. 22 c/f).

The D.C. Kanwar is soliciting orders of the Govt. in the matter. Hence for orders if the D.C. Kanwar may be requested to deal with the case of encroachment as per the provisions of Rules as already suggested by him and report fact in due course for issue of cancellation orders.

Orders may please be issued in consultation with the R.D.

Secy. ~~R&F.~~

Note 9

1/4/71

For favour of comments, if any

R.D

Dy. A & R
3695
3-5-71

Note-70 — 10 AFD 342 FGL 70

(1) A & F Department file bearing No. AFD 342 FGL 70 is placed below. It is stated that Government vide their order No. AFD 141 FGN 65 dated 30/8/1967 (Flag 'A') have order for disafforestation and handing over an area of 1-20 acres of land to the Revenue Department for assignment to the Vijaya Authomobiles. Subsequently according the order dated 6th Sept. 1967 (Flag 'B) of even No. the former order was modified and orders were issued to hand over the land to the Revenue Department for disposal as per the Land Grant R ules.

(2) Now it is reported that the land released is required for the use of the Forest Department as they intend to construct office buildings in an area of 7-32 acres including this area in the same S.No. and has requested to cancel the Government Order.

(3) The Deputy Commissioner has reported that the prospective grantee has resorted to encroachments unauthorisedly. The party has not been put in possession of the land and the process of the disafforestation has not yet been completed.

(4) Hence the Agriculture and Forest Department has now requested for the remarks of the Revenue Department in the matter.

(5) As seen from the file of the Agriculture and Forest Department the forest on the land has not yet been cleared and the land placed in possession of the Revenue Department. Unless the possession of the land is handed over to the Revenue Department, Revenue Department cannot take action to dispose of the land in favour M/S Vijaya Authomobiles and Scientific Engineering works Sirsi. Hence it is for the Agriculture and Forest Depart-

AFD 342-FGL70.

11

RD(D) 1696/71

ment to release the land in favour of the Revenue Department or to keep the land for themselves. They may take the decision to cancel the Government Notification in consultation with the Law Department.

With ~~in~~ this information, this file may be returned to the Agriculture and Forest Department.

14/5/71.

DS

20/5/71

17815
AFD 371(2) FA-7
25/5/71

Dy. Sec. RD
No. 2863 21/5/71

21.5.71

AFD —11—

21/5/71

Sec. L
25/5

Notes 5 to 7 may kindly be passed.
For orders on para 5 of Note 7

7/6

15/6

DS

Dy. Secy. A&D
No. 2341
16/6

Note 12

The kind ref. is invited to note 7 & 9 of the Secy A&D & the Comments of the RD @ note 10. The position, in short, is that the proposed grantees namely M/s Vijaya Auto Motiles Sirsi ~~Karwar, is are~~

encroachers, if they want to utilise the Land for work shop etc, in the absence of valid grant in their favour. Although A Gro has been issued, making the grant in their favour, the actual grant would be valid only after the Land is made over to the Rd after clearing the forest growth etc and after the Rd puts the grantee in possession of the Land.

(2) In the instant case none of the requisite formalities have been completed to confer any legal title or status on the proposed grantee. His physical access to the Land is only permissive, by virtue of his having undertaken to clear the forest growth. I agree with the view of the Ld. Karwar that such a contract work does not confer any title on the party in respect of the Land.

(3) Now that the Land in question is required by the Dept. itself, it is open to Govt. to revoke the order releasing the Land. If the party tries to get into possession of the Land, the Dept. can take action to evict the party either u/s 94 of the Mysore Land Revenue Act 64 (as proposed by them) or under the provisions of the Mysore Public Premises (eviction of unauthorised occupants) Act 61 and Rules 62.

AFD·342·FOL 70

13

(4) In the normal course, it should be possible for the forest Dept to prevent the encroachment. In case, they find any difficulty by way of lack of powers, they can approach the D.C. for process of eviction as indicated above. An order revoking the release of land may be issued under instructions to the C.C.F. to take action as above.

4737.

A

Note.13

17/6/71

Sec. to F

I agree

18/6

19/6

Note.14

Please put up a draft G.O. as suggested @ 'A' above.

2341

18/6/71

Note.15

18/6

Ref. Note.14.

A draft G.O. is put up for approval

Pray

Dy. Secy. to Gov.
No. 2862
12/7.

12/7

6/7

7/7

NOTE.16

Re-opened

26/10

Sec. 19/7

May be recast

21/14/7

14/7

Issue 16/7

21 15/7

Recd. 'B'
No. 6271
20/7/71 14.7.71

Sl. No. 15. Refm. dated 11.9.71 of m/s Vijaya Automobile, Sirsi
Sl. No. 16. Letter No. B3/GFL/83/6465 dated 15.x.71 of the
c.c.f. B'lr.

NOTE. 17

For the facts of the case Note I may kindly be perused.

① Flag A.

1-20 acres of land was granted to m/s Vijaya Automobiles and Scientific Engineering Works, Sirsi, for starting an automobile workshop etc.

As the C.C.F. wanted the land for construction of office buildings etc. in an area of 7.32 acres including this area in the same S.No., as recommended by him, the G.O. No. AFD. 141. FAN65 dated 30.8.67, sanctioning 1-20 acres to m/s Vijaya Automobiles was cancelled on 19.7.71.

② p25

Now the C.C.F. has again requested to spare one acre of land to m/s Vijaya Automobiles, as they have got nearly 20 acres of land adjoining to the plot, as m/s Vijaya Automobiles have already purchased the machinery etc.

AFD. 342-F&L70

15

We may agree with C.C.F.

A draft G.O. is put up for approval p 33

2/11

2/11/71

Dy. Secy., A. & F.
No. 7224
3/11.

Dy. Secy., A. & F. Deptt.
3/4

Secy., A. & F.
No. 10141
4/4

Secretary)

6/x

8/11

Issue
9/11

May be recalled B.

9/1

10/1

Sl. No. 17 16 33

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub: Release of 1-20 acres of land out of F.S.No. 97 of Sirsi N.K.Dist in favour of m/s Vijaya Automobiles and Scientific Engineering works.

ORDER No. AFD. 342. FEL 70

BANGALORE DATED THE NOVEMBER 71.

Read: (1) G.O. No. AFD. 141. FEN 65 dated 30.8.67 (1)

(2) G.O. No. AFD. 141. FEN 65 dated 6.9.67 (2)

(3) G.L. No. AFD. 141. FEN 65 dated 3.8.68 (3)

(4) G.O. No. AFD. 342. FEL 70 dated 19.7.71 (4)

(4) letter No. B3. CFL. 83/64-65 dated 15.10.71 (5)

of the C.C.F. B'lore.

(1) Fig A (2) Fig B (3) Fig C (4) Pg 32 (5) Pg 32

ORDER.

The G.O. No. AFD. 342. FEL 70 dated 19.7.71 is withdrawn. The area "1-20 acres" wherever it appears in G.O. dated 30.8.67 and 6.9.67 cited (1) and (2) above and in G.L. dated 3.8.68 cited (3) above may be read as "1 acre".

B.O.ek

2/11/71

To.

The CCF

The CF. Kanara circle Dharwar

The Divisional commissioner Belgaum

The D.C. N.K.

The Divisional Forest Officer, Sirsi

The R.P.

Sl. No. 16

72987/FA/71 32

19-X-71

17

No.B3.GFL.83/64-65.

CHIEF CONSERVATOR'S OFFICE(GL)
Bangalore, dated, 18 October, 1971.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

SECTION
35158
19 OCT 1971

Sub: Release of 1-20-0 acres of land out of F.S.No.97 of Sirsi in favour of M/s. Vijaya Automobiles and Scientific Engineering Works, Sirsi - Cancels.

Ref: Government Order No.AFD 343 FGL 70 dated 19-7-1971.

In enclosing herewith a copy of letter No.FOP.GFL.CCF.SR.20-67-68, dated 27-9-1971, together with its enclosure (petition) received from the Conservator of Forests, Kanara, I have to state that in the circumstances stated by the Conservator of Forests, there is no objection to restore only one acre out of F.S.No.97 of Sirsi, in favour of the petitioner M/S. Vijaya Automobiles.

The above Government Order may therefore suitably be amended and revised orders communicated.

Yours faithfully,

Chief Conservator of Forests(Gl)

18 31

Subject:-Release of 1-20-0 acres of land out of F.S.No.97 of Sirsi in favour of M/s.Vijaya Automobiles and Scientific Engineering Works, Sirsi - Cancels.

No.FOP.GFL.CCF.SR/20/1967-68.
Dharwar:Date: 27-9-1971.

To

The Chief Conservator of Forests,
(General) in Mysore, Bangalore.

Sir,

Ref:-Your No.B3/GFL/83/64-65 of 15-9-1971.
-o-

In resubmitting herewith the petition dated nil from M/s.Vijaya Automobiles and Scientific Engineering Co., Works, Sirsi received under your above letter, I am to state as under:-

2. In G.O.No.AFD-141-FGN-65 dt.30-8-1967, an area of 1-20-0 in F.S.No.97 of Sirsi was ordered to be disforested and handed over to Revenue Department for being granted to M/s.Vijaya Automobiles and Scientific works. Accordingly the tree-growth standing in the said area was removed and the possession of the area handed over to the Revenue Department. The area has been measured by the Revenue Dept. and the grantee has paid the expenses therefor. Since it was was considered desirable to include this area also for use of the office, staff, quarters of the Conservator of Forests, Kanara Circle, Government was moved to cancel the grant. Accordingly Government in their order No.AFD-342-FGL-70 of 19-7-1971 have cancelled the grant of the area in question. The Divisional Forest Officer, Sirsi was therefore instructed to resume the forest land in question. The application dt.nil received under your above letter is therefore a sequel to the steps taken by the Divisional Forest Officer, Sirsi.

3. The above subject was discussed by me with you during my last visit to Bangalore. For the Construction of the office residence and staff quarters of the Conservator of Forests, Kanara Circle, about 20 acres of forest land is available adjoining the plot sanctioned to M/s.Vijaya Automobiles. In view of the fact that the company have already purchased the machinery also, I have no objection if an area of one acre in F.S.No.97 of Sirsi village is restored to the grantee as he is satisfied with this extent of land. I, therefore request you kindly to move Government to modify this order No.AFD-342-FGL-70 of 19-7-1971 and to order the grant of one acre of land to the above firm. Orders of Government obtained may please be communicated to me.

Yours faithfully,

(S.R.Bhagwat.)
Conservator of Forests,
Kanara Circle, Dharwar.

PSD/24/-

Copy to the Divisional Forest Officer, Sirsi w.r.t. this office even No. dt.16-8-1971.

From

M/s. Vijaya Automobiles and Ser Scientific Engineering Works,
S I R S I

To

The Chief Conservator of Forests in Mysore,
Bangalore.

Sir,

We beg to bring to your kind notice the following few lines and for necessary action in the matter.

1) We applied for grant of 1 acre and 20 guntas out of F.S.No.97 of Sirsi Town on 4.11.1961. On this application as well as on the other applications made in respect of the same number, ~~of~~ enquiries were made at all levels from the Tahsildar and other revenue and Forest officers and the Government by their order No.AFD 141 FGN 65 dated 30.8.1967 passed an order deforesting 1 acre, 20 guntas out of F.S.No.97 for assigning the same in our favour. This order was to some extent modified by stating that the area so released may be handed over to the Revenue Department for disposal as per Land-grant rules.

2) The tree growth standing in the area had been auctioned by the Forest Department and was purchased by us.

3) The area has also been measured by the Surveyor deputed by the Assistant Superintendent of Land Records and we have paid the measurement expenses also. The area has been surveyed by the Revenue Department, the boundaries have also been fixed. The area has been enclosed by wire fensing

at our cost and the required machinery at a huge cost has also been purchased in anticipa--tion of the land being granted in our favour. It is important to note that the Government had fully examined all the circumstances of the case and had reached the conclusion that the release of the forest area was necessary. When we were fully hoping to get an order of grant after nearly 10 years we were shocked to receive an endorsement to the effect that the Government have since cancelled their earlier order releasing one acre and 20 guntas out of forest survey No.97. The endorsement further states that the request for grant of the above land cannot be considered. The order of the Government is passed on 16/19-7-1971 and it refers to a letter No.B-3 GEL 83/64-65 dated 21.3.1970 of the Chief Conservator of Forests in Mysore, Bangalore and letter No.LND.II.7.SR.2875 dated 30.3.1971 of the Deputy Commissioner, North Kanara. Neither the reasons for cancellation of the earlier order nor the purpose for which the said land would be required by the Government has been disclosed in the said Government order. We have been in possession of the area and the machinery purchased by us is lying idle. The land has already been released in favour of the Revenue Department and it is no longer in the Forest Department. On the representations made in regard to this matter and on the basis of the Government order referred to above and the subsequent things done like survey etc.,we have been made to suffer to a considerable extent.

4. The area in question is a small extent out of a large area measuring about 350 acres. No harm is caused to anybody else by the grant of this land in our favour. There are absolutely no grounds for refusing the view taken at the time of passing of the Government Order.

5. We, therefore, humbly pray that a recommendation may be made to the Government for grant of this land in our favour as early as possible.

Yours faithfully,
FOR VIJAYA AUTOMOBILES & SCIENTIFIC ENGINEERING WORKS,

Sl. No. 15

22 27

AFD 6668 FA 11
21/9/71

M/S Vijaya Automobiles and
Scientific Engineering Works,
S I R S I (N.K.)

To
The Secretary,
Agricultural & Forest Department
Govt. of Mysore, B A N G A L O R E-1.

Sir,

We beg to bring to your kind notice the following few facts for favourable consideration and orders.

(1) S.No. 97 of Sirsi town was a Forest survey No. In the year 1961 we made an application for grant of 1-20-0 out of this S.No. for industrial purposes. We wanted to start an automobile workshop and Engineering works. On our application enquiries were made at all levels by the Revenue and Forest Departments. After taking into consideration the opinion of the Forest Department and the Revenue Department the Government was pleased to pass an order disforesting 1-20-0 G out of this forest S.No. and for grant of the same in our favour vide G.O.No. AFD. 141 FGN 65 dated 30-8-1967. It may be seen that order of the Government was passed after taking into consideration the availability of the land our eligibility etc. It may be noted that there were several other applications in respect of the same No. but the Assistant Commissioner who had made a detailed enquiry had made a recommendation for rejecting all other applications. Valid reasons had been given by him for rejecting other applications and for selecting our application. After the said Government order, it has been modified to some extent by another order by which it was directed that the land may be handed over to the Revenue Department for being disposed of according to Land Grant Rules.

20/9/71
H. P. Please

(2) Fortified by the above Government order and on the strength of the assurance given to us that the land would be disposed of in our favour only, we purchased machinery worth about Rs 1,80,000/- and also purchased the

continued on page 2

tree growth at an auction held. We have enclosed the area by wire fencing at considerable cost. Further we have paid the survey fee also at the instance of the Tahsildar and the land has been surveyed , demarcated and boundary stones have also been put. However, the grant in our favour was delayed on account of the procedural difficulties.

(3) We had been trying all the while to get the grant completed. On the course of events subsequent to the orders of the Government referred to above, we have even occupied the land. The land in question is only a small area in an otherwise large area of nearly 350 acres. The Government cannot make use of this land for any purpose whatever. It is ideally situated at a place where facilities to travelling public could be extended.

(4) However, to our dismay and chagrin, we received an endorsement a few days back stating that the Government have cancelled their earlier orders and our application for grant could not be considered. No reasons are given for reversing the earlier decision. We have been trying for the last 10 years to get this land and it is unnecessary to state that this waiting has cost us a good deal. Machinery we have purchased is lying idle. This has come as a great shock to us when we were hoping that our efforts for the last 10 years would be crowned with success.

(5) Having regard to the facts as mentioned above, we pray that the benign Government may further examine the matter and grant the land in our favour at an early date.

For The Vijaya Automobiles & Scientific Engineering Works.

Proprietor.

11-9-1971.

THE VIJAYA AUTOMOBILES & SCIENTIFIC ENG. WORKS SIRSI. (N. K.)

Sl. No. 14 25

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Subj: Release of 1.30 acres of land out of R.S.No.97 of Sri Sirsi in favour of M/s. Vijaya Automobiles and Scientific Engineering Works, Sirsi - Cancels

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ORDER NO. FD 342 FOL 70,
DATED: BANGALORE: THE 16TH JUNE, 1971.

READ: (1) Govt. Order No. FD 141 FOR 65 dated 30-3-1967.
(2) Govt. Order No. FD 141 FOR 65 dated 6-5-1967.
(3) Govt. Letter No. FD 141 FOR 65, dated 3-4-1968 addressed to the Divisional Commissioner, Belgaum.

ORDER

With reference to letter No. PU/FT/AD/64-65 dated 21-3-70 of the Chief Conservator of Forests in Mysore, enclosure and letter No. AD.11.7. [illegible]/8375 dated 30-4-71 of the Deputy Commissioner, North Kanara, on the subject mentioned above, orders issued in Govt. Order No. FD 141 FOR 65 dated 30-3-1967 and dated 6-5-1967 read with Govt. letter No. FD 141 FOR 65 dated 3-4-1968 are hereby cancelled.

By order and in the name of the President of India,

Sd/-
(V.K.Chikkanath)
Under Secretary to Government,
Agriculture & Forest Department.

To
The Chief Conservator of Forests(Cl.) in Mysore, Bangalore.
The Deputy Commissioner, North Kanara, along with case paper
The Conservator of Forests, Kanara Circle, Dharwar.
The Divisional Forest Officer, Sirsi.
The Divisional Commissioner, Belgaum.
The Revenue Department.

The Chief Conservator of Forests(Cl.) is requested to take action to evict the encroacher from the land and if he finds any difficulty for the Forest Dept. to remove the encroachment, the Deputy Commissioner, North Kanara may be approached for the eviction of the encroacher.

Sl. No. 13

25 27

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Sub: Release of 1.20 acres of land out of F.S. No. 97 of Sirsi in favour of M/s Vijaya Automobiles and Scientific Engineering Works Sirsi - Cancels

ORDER NO. AFD. 342. FGL 70.

BANGALORE DATED THE JUL 1971.

Flag A

Flag B

p81/cb. 7 file

p5

p23

Read: (1) G.O. No. AFD. 141. FGN65 dated 30.8.67

(2) G.O. No. AFD. 141. FGN65 dated 6.9.67

(3) G.L. No. AFD 141 FGN65, dt. 3-8-68 addressed to DUC., Belgaum.

ORDER

With ref. to letter No. B3/GFL/83/64-65 dated 21.3.70 of the C.C.F. Blr and letter No. LND. 11.7. SR/2875 dated 30.3.71 of the D.C., N.K, on the subject mentioned above, the orders issued in G.O. No. AFD. 141. FGN65 dated 30.8.67 and dated 6.9.67 read with G.L. No. AFD 141 FGN65 dt. 3-8-68 are hereby cancelled.

B.O. ex

12/7/71

To

The CCF

" D.C. N.K along with case papers.

" C.F. Kanara Circle Dharwar

" D.F.O Sirsi

" DUC., Belgaum.

" R.D.

The C.C.F. is requested to take action to evict the encroachers from the land and if he finds any difficulty for the forest deptt. to remove the encroachers, the D.C. N.K may be approached for the eviction of the encroachers.

12/7

U.S. to Govt.

Sf. N. 12

23

AFD 2424 FA 71
5/4/71

No.LND.II.7.SR/2875
Karwar, 30-3-1971.

To

The Secretary to Government,
Agricultural & Forest Dept.
Vidhana Soudha, Bangalore.

Sir,

Sub:- North Kanara District - Sirsi Taluka.
Grant of land out of F.Sy.No.97 of Sirsi.

Ref:- Government letter No.AFD 342 FGL 70 dated 11-11-1970; ~~dated~~ 8-12-1970 and 29-1-1971.

In continuation of this office even No. dated 22-12-1970 addressed to the Government, I am to report that the applicant M/s Vijaya Automobiles was asked through the Tahsildar, Sirsi to communicate his choice of a new site in lieu of the site in question viz. 1-20-0 in F.S.No. 97 of Sirsi. The applicant has submitted an application stating that the 1-20-0 site was released by Government for disforestment in his favour only. He has also stated that the tree growth standing on the land when sold by the Forest Department was purchased by the applicant himself. He further states that the land is actually in his possession and so there is no question of his now selecting an alternative site.

It is a fact that the site under reference was released by Government in their G.O.NO.AFD 141 FGN 65 dated 30-8-1967 read with ~~xxxx~~ G.O. dated 6-9-1967 in favour of M/s Vijaya Automobiles and Scientific Engineering works Sirsi i.e. the applicant. This fact has also been made clear by the Conservator of Forest, Kanara Circle in his report No.FOP.GFL.CR-215 dated 19-1-1970 copy of which has been forwarded to this office by Government under their letter dated 6/11-11-1970. By releasing the land in his favour ~~of~~ Government have ~~xxx~~ committed itself to grant the land to the applicant. However even if the Forest Department had sold the tree growth to the

Sl. No. 11

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GOVERNMENT OF MYSORE

No. AFD 342 FGL 70.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 27th Jan 1971.

FROM

The *Secretary to the Government of Mysore*
Agriculture & Forest Department.

To

The Deputy Commissioner,
North Kanara, Karwar.

Sir,

Sub: North Kanara District Sirsi Taluk
Grant of land out of F.S.No.97 of
Sirsi to M/s.Vijaya Automobiles,
Sirsi.

In inviting reference to your letter No.LND. 11-7-SR.2875 dated 22-12-1970, on the subject mentioned above, I am directed to request you to expedite the reply in the matter.

Yours faithfully,

(M.A.Srinivasan)
Under Secretary to Government,
Agriculture & Forest Department.

hms/27-1/

applicant himself it does not, in any way confer any right to the applicant to enter into the land and to claim any title over it once he has fulfiled his task of removing the tree growth as per contract.

It may not be out of place to mention that the applicant appears to be resorting to underhand methods in order to gain possession of the land and have it conformed in his favour. In his application dated 13-11-1969 addressed to the Deputy Commissioner, Kanara he had complained that no arrangement had been made to award possession of the land to him though he had removed the treegrowth. He was informed on 22-12-1969 that his request for possession would be considered after the area was actually disforested. Even if it is true that he is now in actual occupation of the land he would have to be treated as recent encroacher on Government land and evicted under section 94 of M.L.R. Act, 1964. I am accordingly directing the Tahsildar Sirsi to evict the applicant from the land, forthwith.

For the rest, I am to state that the Forest Department has selected this very site for locating the Office of the Conservator of Forests, before the disforestment proceedings were completed. Subsequently the Forest Department has commenced the construction of the proposed building in an adjecent site in the self same Sy.Nos. A copy of the Divisional Forest Officer's letter in this behalf is also enclosed with the papers. However, the Divisional Forest Officer has not categorically stated if the instant 1-20-0 site is still required by the Department for the ~~allowed~~ avowed purposes. It appears that as Government orders on the proposals of the Conservator of Forest and the Divisional Forest Officer Sirsi to divert this site for Conservator of Forest's Office have not yet issued and the applicant is not agreeable to give up his claim, Forest Department has

taken action to start construction of the Conservator of Forest's Office building in neighbouring site.

To sum up the applicant has unauthorisedly taken possession of the land although the same has been not regularly granted to him and he is not willing to relinquish his claim over it. Meanwhile the said site is required by the Forest Department for a public purpose.

With these remarks the papers are submitted for favour of such orders as Government might think fit.

The papers of the case pages 1 to accompany.

Yours faithfully,

O.C. signed by the Dy.Commr.

For Deputy Commissioner,
N.Kanara, Karwar.

RNR/

Sl.No.10

18

AFD 9962 + 4 20
29/12/70

No.LND.II-7-SR 2875
Karwar 22-12-1970

300

To

The Secretary to Government
Agriculture & Forest Department,
Vidhana Soudha, Bangalore.

Sir,

Subject:-N.Kanara District Sirsi Taluka
Grant of land out of F.S.No.97
of Sirsi to M/S Vijaya Automobiles
Sirsi

Reference:-Govt. Letter No AFD 342 FGL.70
dated 11.11.1970

49503

L.A.I. SECTIO
28 DEC 1970

The land in question is required by M/S Vijaya Automobiles for an Autogarage and work shop and so in the fitness of things the site granted should preferably be along the main road only.

However the applicant would be best qualified to select an alternative site in lieu of the area in Sy No.97 which is now proposed for the construction of Forest Department buildings.

I am therefore separately ascertaining from the Tahsildar Sirsi as to the choice of the applicant in this behalf .My further report in the matter will be sent on hearing from the Tahsildar.

SR
28/12

o.c.signed
by Dy Commr

Yours faithfully,

for Deputy Commissioner,N.K.Karwar.

Sl. No 9

31 17

AFD 9128 FA 70
2/12/70

S.R. Bhagwat, B.Sc.,(Hons), AIFC.,
Conservator of Forests,
Kanara Circle.

D h a r w a r.

D.O. No. FOP/GFL/CCF/SR-29/69-70.

Dt: 28-11-70.
30

Dear Sri Krishnamurthy,

Sub: Shifting of the headquarters of the office of the Conservator of Forests, Kanara Circle, Dharwar to Sirsi.

Ref: Correspondence ending with the C.C.F. (General) in Mysore, Bangalore's No. B3-GFL-83/64-65 dated 21-3-70 addressed to the Secy., to Govt., A. & F. Dept., Bangalore.

You are aware that Government have issued orders to shift the headquarters of the Conservator of Forests, Kanara Circle, from Dharwar to Sirsi and have issued directions that the funds to the tune of Rs 3,40,000/- allotted for the purpose are to be fully utilised during the current financial year. The work of preparing detailed estimates for the construction of the buildings for the office and residence for the Conservator of Forests and his staff is taken up in hand by the P.W.D. and the tenders for these works are expected to be called for shortly.

2. While sufficient progress is achieved towards putting up the buildings, it has not been possible as yet to finalise the sites required for the purpose. The most suitable area selected for construction of office buildings is in F.S. No. 97 of Sirsi village. This forest Sy. No. consists of 2.20.0 acres out of which, an area of 1.20.0 has been granted to M/s. Vijaya Automobiles Sirsi under Government Order No. AFD-141-FGN-65 dated 30-8-1967. Since this area is required by this Department for the construction of buildings for the office etc., the Chief Conservator of Forests has moved the Government in his above cited letter to cancel the lease of an area of 1.20.0 granted in favour of M/s. Vijaya Automobiles, Sirsi. Orders of the Government are however, awaited.

I therefore, request you kindly to obtain the orders of Government cancelling the lease of an area of 1.20.0 acres in forest Sy. No. 97 of Sirsi sanctioned in favour of M/s. Vijaya Automobiles, Sirsi - vide G.O. No. AFD-141-FGN-65 dated 30-8-1967, very early so that this Department could make available the forest Sy. No. 97 of Sirsi to the P.W.D. for construction of the

Please verify if this matter is dealt with in Section 'A' or 'B' and put up immediately
2/12/70
Forest A) 2/12/70
Sec B 2/12

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Office buildings; otherwise, the funds allotted for the purpose may remain unutilised.

I shall be grateful for an early action in the matter.

Yours sincerely,

(S.R. Bhagwat).

Sri S.N. Krishnamurthy, M.Sc., AIFC.,
Under Secretary to Government,
Agriculture & Forest Department,
Vidhana Soudha, Bangalore - 1.

Sl. No 8 33 AFD 8325 PA 70 3/11/70 342 FGL 70

No.B3/GFL/1069/70-71.

Chief Conservator's Office (Gl)
Bangalore:Dated: 2-11- 1970.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub:-Handing over possession of an area of 1-20-0 out of F.S. No.97 of Sirsi.

Ref:-Minister's office file No.MFP (Industry) 177/70.

Kind reference is invited to this office letter No.B3/GFL/83/64-65 Dated 21-3-1970 and 23-7-70 and it is requested to kindly move the Government to cancell the Government Order No.AFD-141-FGN-65 Dated 30-8-1967.

The original petition is resubmitted herewith.

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R. & L. SECTION
A.D.V.D.
3 NOV 1970
3/11

Yours faithfully,

Chief Conservator of Forests

Sri R
3/11.

N.

34 14

Phone: 28

The Vijaya Automobiles & Scientific Engineering Works

(U. KRISHNA)

PRACTICAL MECHANISTS, SPECIALISTS IN MARINE MOTORS, DIESEL ROAD ROLLERS AND ENGINES
AGRICULTURAL EQUIPMENTS, ELECTRICAL CONTRACTORS AND REPAIRERS OF
ALL KINDS OF AUTOMOBILES AND MACHINERIES,

SIRSI (N. Kanara)

REGD. UNDER GOVT. OF MYSORE
DEPT. OF INDUSTRIES & COMMERCE
REGN.NOS-15/7/SRS/1 x (2)/1/28
Ref. MG/SRS/x 1 (8)/1/224

REGISTERED

Date 7th Sept. 1970.

To
The Honourable Minister for Forests,
Government of Mysore, Bangalore-1.

Min. of St. Forests.
No. 14 FP (Industry) 177/70
Date.

CCF does not stop it is held up
16/9/70.

Subject: Handing over possession of an area of 1-20-0 out of F.S.No.97 of Sirsi.

ALUR HANUMANTHAPPA
Min. of State for Forests.

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25
1069
B3
24 SEP 1970
24/9
2579

Honourable Sir,

We are approaching your honour through this humble representation for favour of your kind and merciful intervention in the matter.

We had applied for the grant of an area of 1-20-0 out of F.S.No. 97 of Sirsi during the year 1961 and the matter is still lying without being decided. The land has been already granted to us by the Government of Mysore under their No.AFD.141 FGN 65 dated 30-8-1967. Inspite of this the matter is not yet complete only for want of handing over possession by the Revenue Department i.e by the Deputy Commissioner, Karwar. Though it is now more than three years since the grant is made in our favour, the possession is not awarded to us for the reasons not known to us. Very recently we reliably learn that the forest department has now become an obstacle in the matter of granting the land to us since the department has set their eye on the said land for the construction of quarters for forest department employees. Since the matter has already been decided in our favour by issuing suitable orders for the grant of the land to us, there is no point in demanding the same again by the forest department. With the honest belief and on the strength of the grant of the land to us as per the above referred order,

Phone: 28

The Vijaya Automobiles & Scientific Engineering Works

(U. KRISHNA)

PRACTICAL MECHANISTS, SPECIALISTS IN MARINE MOTORS, DIESEL ROAD ROLLERS AND ENGINES
AGRICULTURAL EQUIPMENTS, ELECTRICAL CONTRACTORS AND REPAIRERS OF
ALL KINDS OF AUTOMOBILES AND MACHINERIES.

REGD. UNDER GOVT. OF MYSORE
DEPT. OF INDUSTRIES & COMMERCE
REGN.NOS-15/7/SRS/1 x (2)/1/28

SIRSI (N. Kanara)

Ref. No. ~~15/7/SRS/x 1~~ (8)/1/224

Date _____

we have already purchased machinery worth thougands of rupees and building materials and also skill staff to work on the machines. All these have now become idle and some them have already begun to get rusted for want of using them. We could not put even a step further until we get the possession of the land. Government is trying its best to help in every way possible to promote and strengthen the industrial concerns; but to our ill-luck the entire matter is held in abeyance. We therefore request you kindly to go into the matter and see that the matter is disposed off once for all.

Yours faithfully,
For The Vijaya Automobiles &
Scientific Engineering Works,

Proprietor.

Copy to:

1. Sri Ramakrishna Hegde, Honourable Minister for Finance, Government of Mysore for information and necessary action.

2. The Honourable Minister for Industries, Commerce and Industries, Govt. of Mysore for information.

81. No. 7

36 13

M.A.Srinivasan,

A & F.

8-12-1970. xxx

AFD 342 FGL 70.

Dear Sir,

Sub: North Kanara District -Sirsi Taluk - Sirsi Grant of land out of F.S.No.97 of Sirsi in Govt. Order No.AFD 141 FGN 65 dated 30-8-67 to M/S Vijaya Automobiles - Regarding -

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Please refer to Government letter of even number dated the 6th November 1970 on subject mentioned above.

I am desired to request you to expedite the reply in the matter.

Yours sincerely,
M. A. Srinivasan

Shri Cecil Noronha,
Deputy Commissioner,
Karwar.

8/12/70

51.M.6 37 12

GOVERNMENT OF MYSORE

No.AFD 342 FGL 70.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore 6th November 1970

FROM

The Secretary to the Government of Mysore
Agriculture & Forest Department.

To The Deputy Commissioner,
North Kanara, KARWAR.

Sir,

Sub: North Kanara District - Sirsi Taluk - Sirsi grant of land out of F.S.No.97 of Sirsi in Govt. Order No.AFD 141 FGN 65 dated 30-8-67 to M/s. Vijaya Automobiles - regarding.

In continuation of Govt. letter No.AFD 141 FGE 65 dated 16-3-1968 on the subject mentioned above, I am directed to enclose herewin a copy of letter No.B3/GFL/83/64-65 dated 21-3-1970 along with its enclosures of the Chief Conservator of Forests in Mysore, Bangalore and to request you to intimate whether any alternative site could be given to the Vijaya Authombiles Company as suggested by the Chief Conservator of Forests and whether the area already released for being granted to the said Company could be retained for departmental use.

The records remained in this office are returned herewith.

Yours faithfully,

(M.A.Srinivasan)
Under Secretary to Government,
Agriculture & Forest Department.

hns/6-11/

Copy of letter No.B3/GFL/83/64-65 dated 21-3-1970 from the Chief Conservator of Forests in Mysore, Bangalore, to the Secretary to Government, Agri. & Forest Department, Bangalore.

Sub: Grant of land to Kamadhenu Fruit Processing and Dairy Co-op. Farming Society - Proceedings of the meeting held in the Chamabers of the Minister for Finance on 22-8-1969.

Ref: This office letter of even number dated 4-12-1969.

I enclose herewith a copy of letter No.FOP.GFL.CCF.SR./29/69-70, dated 9-3-70, together with its enclosurereceived from the Conservator of Forests, Kanara Circle, Dharwar.

In view of the fact that both the Divisional Forest Officer, Sirsi, and the Conservator of Forests, are not inclined to grant any land in S.No.49 of Chipgi village, but have proposed to reserve the same for the use of the department, the Government Order No.AFD 141 FGN 65 dt:30-8-67 may kindly be cancelled. The petitioner could be provided land out of the area of 313 acres ordered for release for town extension.

Copy of letter No.FOP.GFL.CCF.SR.29/69-70 dated 9-3-70 from the Conservator of Forests, Kanara Circle, Dharwar, to the Chief Conservator of Forests, Bangalore.

Sub: Grant of land to Kamadhenu Fruit Processing and Dairy Co-op. Farming Society - Proceedings of the meeting held in the Chambers of the Minister for Finance on 22-8-69.

Ref: Your No.B3-GFL.83/64-65 dated 4-12-1969.

I submit herewith letter No.FOP.GFL.CR/215 dated 19-1-1970 of the Divisional Forest Officer, Sirsi Division Sirsi in duplicate for favour of perusal.

The Divisional Forest Officer is not inclined to release any area to M/s. Vijaya Automobiles from F.S.No.49 of Chipgi, as this S.No. along with other Nos. is required by the Department to put up its buildings etc. The Government may kindly be apprised of this.

Copy of letter No.FOP.GFL.CR/215 dated 69-70 dated 19-1-70 from the Divisional Forest Officer, Sirsi, to the Conservator of Forests, Dharwar.

Sub: Allotment of site in Sirsi F.S.No.97 and Chipgi No.49.

Ref: C.C.F's No.B3.GFL.723/SR/67-68 dt.25-8-69 communicated vide C.F. K.C's No.FOP/GFL/CCF/SR-29 of 69-70 dated 26-12-1969.

The Chief Conservator of Forests in Mysore, Bangalore has suggested the retention of the available area in F.S.No.97 of Sirsi and F.S.No.49 of Chipgi for the use of the Department. In this connection, I am submitting below the full details of the forest areas still left with us in these 2 F.S.Nos. and 2 other F.S.Nos. in the vicinity for your consideration so that atleast some suitable areas around Sirsi could be retained by the Department.

contd.2.

Sl. No 5 — 40 — one file of 9

Sub: N.K. Dist Sirsi TJ - Dist - grant of land out of F.S. No. 97 of Sirsi in G.M. AFD. 141. FA N65 dt. 30.8.67. to M/s Vijaya Automobiles - regarding.

AFD-342-FAL70.

D.C. N.K.

In continuation of G.L. No. AFD-141. FA N65 dated 16.3.68 on the subject mentioned above, I am directed to enclose herein a copy of letter No. B3/GFL/83/64-65 dated 21.3.70 along with its enclosures of the C.C.F in Mysore Div and to request you to intimate whether any alternative site could be given to the Vijaya Automobiles Co as suggested by the C.C.F. and whether the area already selected for being granted to the said Co. could be retained for departmental use.

The records remained in this office are returned herewith.

7/1

Dy. Conservator of Forests
N.K. Adk

The Question of shifting of the office of the Conservator of Forests, Kanara Circle, to Sirsi has been taken up by the Govt. and its implementation is held up due to the non-availability of suitable building. At this stage, it is important. In this connection, I am submitting below the full details of the Forest areas still left with us imperative that the Forest Department reserves some suitable sites for taking up the construction of buildings, to house the office & residence of the Conservator of Forests and the large staff. At present the office of the A.C.F. Anti-smuggling Squad is also located in a rented building. The regular A.C.F. and A.C.F. Anti-Smuggling Squad are not provided with residential accommodation. It would be necessary to take up in due course the construction of buildings for the large ministrial staff both of this office and the office of the Conservator of Forests.

I will touch upon the different Sy.Nos. individually:-

F.S.No.97 of Sirsi situated in a very suitable locality with roads to Yellapur and Hubli on either sides of it. This F.S.No. covers 2-22-0 acres. The Govt. in their order No.AFD 141 FGN 65 dated 30-3-67 ordered the release of 1-20-0 acres out of this F.S.No. for granting it in favour of the proprietor, Vijaya Automobiles and Scientific Engineering & Works, Sirsi. Later wide Govt. Order No.AFD 141 FGN 65 dated 6-9-67, it was ordered the grant of this land should be made by the Revenue Department following the normal rules and procedure. The Finance Minister - Vide munite of the meeting communicated under Chief Conservator of Forests in Mysore, Bangalore's No.B3/GFL/83/64-65 dated 24-10-69, has desired that this site should handed over to the Sirsi Co-operative Housing Society and the M/s. Vijaya Automobiles be allotted lands in some corner of F.S.No.49 of Chipgi. The Chief Conservator of Forests in Mysore, Bangalore has suggested to the Govt. that the available areas out of Sirsi F.S.No.97 and Chipgi F.S.No.49 may be retained by the Forest Department itself. The total extent of these F.S.Nos. come to 8-32-0 acres out of which 1-0-0 has been leased out to one Sri P.S.Keshwain for installation of a petrol pump vide G.O.No.AFD 45 FGL 67 dated 23-7-67. It is submitted that the entire balance area of 7-32-0 acres is one compact block on flat terrain and would be ideal for the construction of the Office building for the Conservator of Forests, Kanara Circle, Dharwar's Office. One acre leased out to Sri P.S.Keshwain has not been developed by him so far. It would be later considered as to whether this site should be resumed to Govt.

Adjacent to F.S.No.49 of Chipgi but on the opposite side of Sirsi - Yellapur Road, there is F.S.No.47 of Chipgi covering an extent of 54-6-0 acres. This site is adjacent developed Sayadri Housing coloney. Out of this F.S.No.atleast an extent of 25 acres could be reserved for construction of quarters for the Conservator of Forests, Asst. Conservator of Forests, and the Ministrial staff. However the Forest Department had agreed to the release of 25-0-0 acres from out of F.S. No.47 and F.S.No.96 of Chipgi (i.e. 19 acres & 6 acres respectively) vide Conservator of Forests, Kanara Circle, Dharwar's No.FOP/GFL/CD/70-1/66-67 dated 12-1-67 It does not appear that the area has been released. Sri Laximarayana Ganapati Hegde of Karsulli has also filed a writ petition in the High Court of Mysore against this grant and the report to the Chief Conservator of Forests, in Mysore, Bangalore by the Conservator of Forests, Kanara Circle, Dharwar has been submitted vide his No.FOP/GFL/5/6-19 dated 5-8-69. This area is yet to be transfered. Thus it is submitted that even if the grant of 25 acres is to stand, 19 acres out of the balance 29 acres 6 guntas (after reserving 25 acres for the Department) and 6 acres from out of F.S.No.96 of Chipgi may be made in favour of the same party.

This would facilitate the getting aside 7 acres 32 guntas from F.S.No.97 of Sirsi and F.S.No.49 of Chipgi for the purpose of Departmental Office buildings and 25 acres adjacent to this stie from out of F.S.No.47 of Chipgi for the purpose of construction of the residential quarters.

This would need only the alteration of the sketches and not Sy.No.particularly in case of grant in favour of Sri S.T.Shetty. In case of grant of 1-20-0 acres in favour of M/s. Vijaya Automobiles, though the Govt. Order as it stands does not render it imperative, that the site should be handed over to him above, it would be reasonable to provide 1-20-0 acres from out of 313 acres since release for town extension wherever he chooses.

The report and the relevant sketches are submitted in triplicate.

— —

Sj. N.Y. F.S. No. 97.

Sub: N.K. Dist. Sirsi T.L. grant of land to M/s Vijaya automobiles - regarding.

8

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AFD. 342. FEL70

Ref,

With ref. to the correspondence ending with your letter No. B3/GFL/83/64-65 dated 25.7.70 on the subject mentioned above, I am directed to state that your proposal for cancellation of G.O. No. AFD.141.FGN65 dated 30.8.67, is not acceptable to Govt and to request you to take action to utilise the remaining area of 6-12 acres for the construction of office buildings etc. The area available in F.S. Nos 45, 47 & 96 may be utilised for construction of office buildings. sd/-

(1) Put up

(2) Seen A.

3/10/70.

(1) Vide ref. L120 correspondence ending with his letter No. LND. II. 7. R/2875 dated 30.3.71)

Copy to DC. N.K. (1) in continuation of G.L. No. AFD-141. FGN65 dated 16.3.68 to take immediate action to grant land to M/s Vijaya automobiles & Scientific works Sirsi. Records accompany

Sl. No. 3

AFD 5700 FA 70. 28/7/70

B3/GFL/83/64-65.

CHIEF CONSERVATOR'S OFFICE:
Bangalore, dated, 22nd July, 1970.

42

23 25

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub: Grant of land to Kamadhenu Fruit Processing and Dairy Co-operative Farming Society - Proceedings of the Meeting held in the Chambers of the Minister for Finance on 22-8-1969.

Ref: This office letter of even No. dated 21-3-1970.

I invite reference to this office letter quoted above, and request you kindly to obtain and communicate - Government Orders in the matter early.

Yours faithfully,

Chief Conservator of Forests.

Ex R
22/7

AFD 4898 FA 70 Sl. No. 29/6/70

43

Phone: 29

The Vijaya Automobiles & Scientific Engineering Works.

(U. KRISHNA)

PRACTICAL MECHANISTS, SPECIALISTS IN MARINE MOTORS, DIESEL ROAD ROLLERS AND ENGINES.
AGRICULTURAL EQUIPMENTS, ELECTRICAL CONTRACTORS AND REPAIRERS OF
ALL KINDS OF AUTOMOBILES AND MACHINERIES.

REGD. UNDER GOVT. OF MYSORE
DEPT. OF INDUSTRIES & COMMERCE
REGN.NOS-15/7/SRS/1 x (2)/1/28
Ref. 15/7/SRS/x 1 (8)/1/224

SIRSI (N. Kanara)

Registered A.D.

Date 24th June 1970

To
The Deputy Commissioner,
North Kanara,
SIRSI

25486

We are in receipt of your communication No. LND. II.7/SD-2375 dated 16-6-1970 and noted contents with surprise.

In this connection we wish to bring to your kind notice that the Govt. in their order No. LD. 141 ZGH 65 dated 30-8-67 have already clearly directed the Deputy Commissioner to assign an area of 1-20 out of S.F. No. 97 to us for Industrial purpose. Inspite of this it is rather strange to note that the matter should have to be referred to Govt. again for a decision. From this, suspicion arose and on enquiry we reliably come to know that the entire file with all the correspondence with the latest correspondence is lying in the office of the Assistant Commissioner, Sirsi Division Sirsi. We therefore request you kindly to call for the entire file from the A.C's office and pass final orders to hand over possession of the area to us after careful study of the papers. Immediate orders for handing over the possession may please be passed early.

29/6/70

Yours faithfully,
For The Vijaya Automobiles & Scientific Engineering Works.

Proprietor.

Copy to:
The Secretary to Govt. Rev. Dept. Government of Mysore Bangalore for immediate action.

29.6.70

29/6.

Sl. No. 1

44 5

C.F. No. 45]

GOVERNMENT OF MYSORE

OFFICE OF

No. B3/GFL/83/64-65
Encls. Two + Sketch

THE CHIEF CONSERVATOR OF FORESTS

IN MYSORE: BANGALORE.

To

Date 21-3-1970.

The Secretary to Government,

Agriculture and Forest Department,

Bangalore.

R.&L. SECTION
A.G.F.D.
12116
34 MAR 1970
2074/70/70

Sir,

Sub: Grant of land to Kamadhenu Fruit Processing and Dairy Co-op. Farming Society - Proceedings of the meeting held in the Chambers of the Minister for Finance on 22-8-1969.

Ref: This office letter of even No. dated 4-12-69.

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I enclose herewith a copy of letter No. FOP.GFL.CCF.SR/29/69-70, dated 9-3-70, together with its enclosure received from the Conservator of Forests, Kanara circle, Dharwar.

In view of the fact that both the Divisional Forest Officer, Sirsi, and the Conservator of Forests, are not inclined to grant any land in S.No.49 of Chipgi village, but have proposed to reserve the same for the use of the department, the Government Order No. AFD 141 FGN 65 dated 30-8-67 may kindly be cancelled. The petitioner could be provided land out of the area of 313 acres ordered for release for town extension.

Yours faithfully,

D. Marigundappa 21/3

Chief Conservator of Forests.

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24.3.70

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Letter.

Subject :-Allotment of site in Sirsi F.S.No.97 and Chipgi No.49.

No. Fop(s)Fl(cf) 215 of 1969/70.
Sirsi, 29 -1-1970.

To,

The Conservator of Forests,
Kanara Circle, Dharwar.

Ref:-C.C.F's No.B3.GFL.723/SR/67-68 dtd. 25-8-1969 communicated vide C.F.K.C's No.FOP/CFL/CCF/SR-29 of 69/70 dtd- 26-12-1969.

The Chief Conservator of Forests in Mysore, Bangalore has suggested the retention of the available area in F.S.No.97 of Sirsi and F.S.No. 49 of Chipgi for the use of the Department. In this connection, I am submitting below the full details of the Forest areas still left without use in these 2 F.S.Nos. and 2 other F.S.Nos. in the vicinity for your consideration so that atleast some suitable areas around Sirsi could be retained by the Department.

The question of shifting of the Office of the Conservato of Forests, Kanara Circle to Sirsi has been taken up by the Government and its implementation is held up due to the non-availability of suitable buildings. At this stage, it is impo ti ve that the Forest Department reserve some suitable sites for taking up the construction of buildings, to house the Office & Residence of the Conservator of Forests and the large staff. At present the Office of the A.C.F. Anti-Smuggling S uad is also located in a rented building. The regular A.C.F. and A.C.F. Anti-Smuggling Squad are not provided with residential accommodation. It would be necessary to take up in due course the construction of buildings for the large ministrial staff both of this Office and the Office of the Conservator of Forests.

I will touch upon the different Sy.Nos. individually:-

F.S.No.97 of Sirsi situated in the very suitable locality with roads to Yellapur and Hubli on either sides of it. This F.S.No. covers 2-22-0 acres. The Government in their order No.AFD.141-FGN-65 dated 30-8-67 ordered the release of 1-20-0 acres out of this F.S.No. for granting it in favour of the Proprietor, Vijaya Automobiles and Scientific Engineering & works, Sirsi. Later wide Government Order No.AFD.141.FGN.65 dated 6-9-1967, it was ordered the grant of this land should b made by the Revenue Department following the normal rules and procedure. The Finance Minister - Vide minute of the meeting communicated under Conservator of F Chief Conservator of Forests in Mysore, Bangalore's No.B3/GFL/83/64-65 dated 24-10-1969, has desired that this site should handed over to the Sirsi Co-Operative Housing Society and the M/S.Vijaya Automobiles be allotted lands in some corner of F.S.No.49 of Chipgi. The Chief Conservator of Forests, in Mysore, Bangalore has suggested to the Government that the available areas out of Sirsi F.S.No.97 and Chipgi F.S.No.49 may be retained by the Forest Department itself. The total extent of these F.S.Nos. comes to 8-32-0 acres out of which 1-0-0 has been leased out to one Shri P.S.Keshwain for installation of a petrol pump - Vide G.O.No.AFD.45.FGL.67 dated 23-7-1967. It is submitted tha the entire balance area of 7-32-0 acres is one compact block on flat terrain and would be ideal for the construction of t Office building for the Conservator of Forests, Kanara Circle Dharwar's Office. One acre leased out to Shri P.S.Keshwain h not been developed by him so far. It could be later consid as to whether this site should be resumed to Government.

Adjacent to F.S.No.49 of Chipgi, but on the oppo side of Sirsi-Yellapur Road, the [illegible] No.47 of [illegible]ering an extent of 34-[illegible] acr[illegible] is adj[illegible] [illegible]loped Sayadri Housin[illegible]

Out of this F.S.No.atleast an extent of 25 acres could be reserved for construction of quarters for the Conservator of Forests, Assistant Conservator of Forests, and the Ministrial staff. However the Forest Department had agreed to the release of 25-0-0 acres from out of F.S.No.47 and F.S.No.96 of Chipgi (i.e. 19 acres + 6 acres respectively) - Vide Conservator of Forests Kanara Circle, Dharwar's No.FOP/GFL/CD/70/1/66-67 dated 12-1-1967. It does not appear that the area has been released. Shri Laxminarayan Ganapati Hegde of Karsulli has also filed a ~~wit~~ writ petition in the High Court of Mysore against this grant and the report to the Chief Conservator of Forests, in Mysore, Bangalore by the Conservator of Forests, Kanara Circle, Dharwar has been submitted - Vide his No.FOP/GFL/546-19 dated 5-8-1969. This area is yet to be transfered. Thus it is submitted that even if the grant of 25 acres is to stand, 19 acres out of the balance 29 acres 6 gunthas (after reserving 25 acres for the Department) and 6 acres from out of F.S.No.96 of Chipgi may be made in favour of the same party.

This would facilitate the setting aside 7 acres 32 gunthas from F.S.No.97 of Sirsi and F.S.No.49 of Chipgi for the purpose of Departmental Office buildings and 25 acres adjacent to this site from out of F.S.No.47 of Chipgi for the purpose of construction of the residential quarters.

This would ~~not~~ need only the alteration of the sketches and not Sy.No. particularly in case of grant in favour of Shri S.F.Shetty. In case of grant of 1-20-0 acres in favour of M/S. Vijaya Automobiles, though the Government Order as it stands does not render it imperative, that the site should be handed over to him alone, it would be reasonable to provide 1-20-0 acres from out of 313 acres since released for ~~xxx~~ town extension wherever he chooses.

The report and the relevant sketches are submitted in triplicate.

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(S.Shyam Sunder)
Divisional Forest Offic
Sirsi Division, Sirsi

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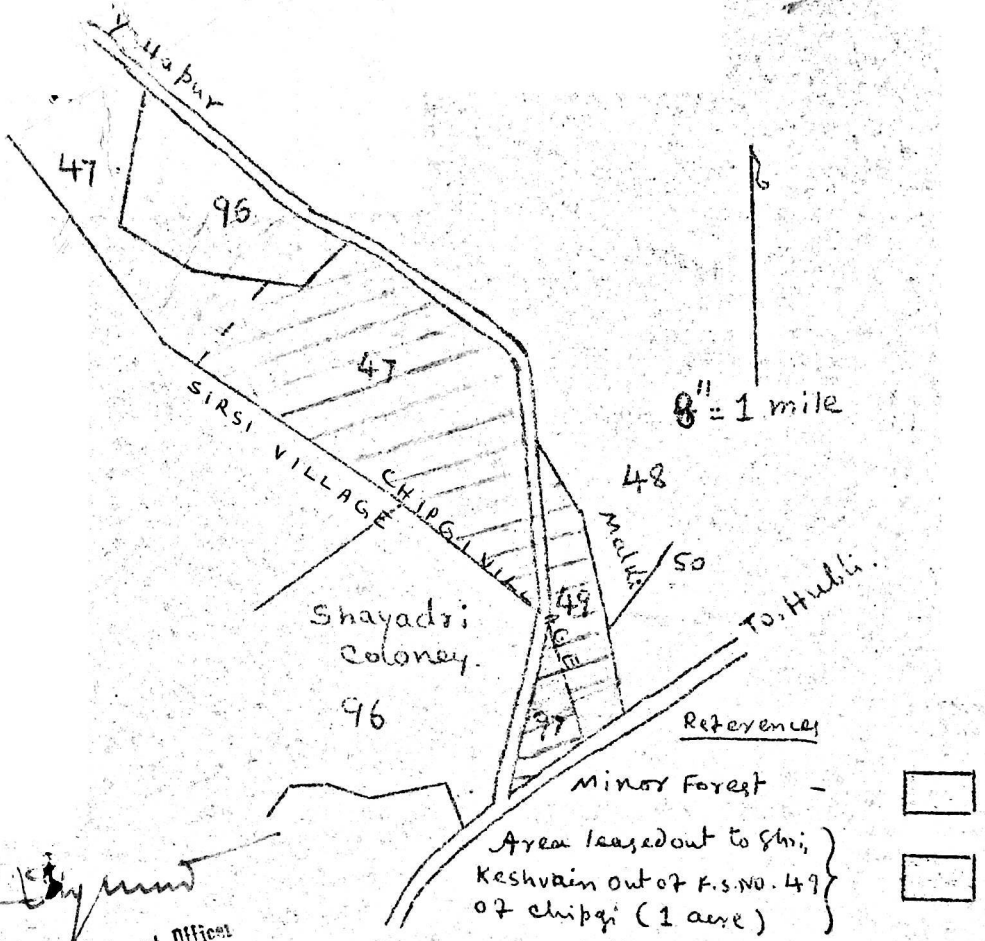

Divisional Forest Officer
Sirsi Division, SIRSI.

Divisional Surveyor,
Sirsi Division Sirsi.

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No.FOP.GFL.CCF.SR/29/69-70.

Office of the,
Conservator of Forests,
Kanara Circle.
Dharwar:Dated: 9 -3-1970.

To

The Chief Conservator of Forests,
in Mysore, Bangalore.

Sir,

Sub:-Grant of land to Kamadhenu Fruit Processing and Dairy Co-Op.Farming society - Proceedings of the meeting held in theChambers of the Minister for Finance on 22-8-1969.

Ref:-Your No.B3-GFL-83/64-65 dt.4-12-1969.

I submit herewith letter No.FOP.GFL.CR/215 dt. 19-1-1970 of the Divisional Forest Officer, Sirsi Dn. Sirsi in duplicate for favour of perusal.

The Divisional Forest Officer is not inclined to release any area to M/s.Vijaya Automobiles from F.S.No.49 of Chipgi, as this S.No. along with other Nos. is required by the Department to put up its buildings etc. The Govt. may kindly be apprised of this.

Yours faithfully,

(Y.M.L.Sharma.)
Conservator of Forests,
Kanara Circle, Dharwar.

Copy to the Divisional Forest Officer, Sirsi for information.

PSD/4/-